

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

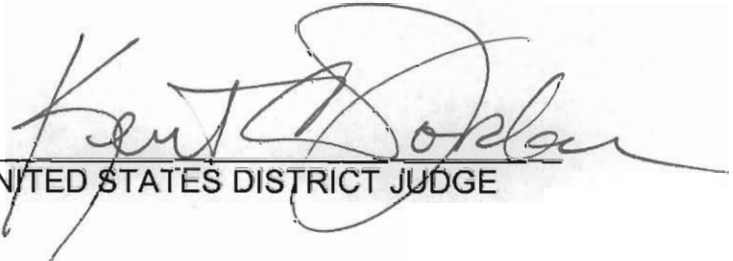
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CLERK U.S. DISTRICT COURT  
DISTRICT OF DELAWARE  
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IN RE: SUMMIT METALS, INC.,	)	
	)	
Debtor.	)	Bankruptcy Case No. 98-2870 (KJC)
	)	
AMBROSE M. RICHARDSON, III,	)	
	)	
Appellant,	)	
	)	
v.	)	Civil Action No. 05-876-KAJ
	)	
FRANCIS A. MONACO, JR., Chapter 11	)	
Trustee, et al.,	)	
	)	
Appellees.	)	

**ORDER**

For the reasons set forth by the Court following oral argument today,  
IT IS HEREBY ORDERED that the Appellee's motion to dismiss the  
appeal (D.I. 5) is GRANTED.

IT IS FURTHER ORDERED that appellant's motion for extension of time  
to file appellant's opening brief (D.I. 11) is DENIED AS MOOT.

  
UNITED STATES DISTRICT JUDGE

Dated: March 10, 2006  
Wilmington, Delaware